

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

THE NOCO COMPANY,)	
)	
Plaintiff,)	CASE NO: 1:22-cv-00216
v.)	
)	JUDGE: JAMES S. GWIN
YABER TECHNOLOGIES CO., LTD.,)	
)	
Defendant.)	

DECLARATION OF ANNA E. BULLOCK, ESQ.

I, Anna E. Bullock, declare, under penalty of perjury, that the following is true and correct:

1. I am over the age of 18, I am competent to testify, and I have personal knowledge of the matters contained in this Declaration.
2. I am an attorney with the law firm of Kohrman Jackson & Krantz LLP and I am one of the attorneys who represent The NOCO Company ("*NOCO*" or "*Plaintiff*") in this action.
3. NOCO designs, manufactures, and sells a number of proprietary products (the "*Products*").

4. NOCO developed, and obtained protection for, advertising material including, but not limited to, photos, illustrations and text (the “*Intellectual Property*”) in connection with each of its Products.

5. At least since April 30, 2021, NOCO has been aware that Yaber Technologies Co., Ltd. d/b/a YABER (“*Defendant*”) was improperly using NOCO’s Intellectual Property to sell its products – all without authorization from NOCO.

6. Defendant was employing NOCO’s intellectual property and trademarks to sell items Amazon.com, Inc.’s (“*Amazon*”) United States targeted, e-commerce marketplace (the “*Amazon Marketplace*”); as a vendor on www.aliexpress.com; as a merchant on its own interactive websites at www.yabertech.com and www.yaberauto.com (collectively, the “*Yaber Websites*”); and possibly other websites.

7. On February 8, 2022, NOCO filed its Complaint against Defendant.

8. Per the USPTO, Defendant is the current owner of a registered trademark for “Yaber,” Registration No. 6529004, which lists the following address as Defendant’s address:

Bantian Guoji Center No. 5
Bldg B, Rm 406 4/F
Huancheng South Rd, Bantian St
Longgang, Shenzhen China 518000

9. On March 23, 2022, NOCO sent a Waiver Package by registered mail to the foregoing address.

10. An assignment of the interest in the Defendant's trademark for "YABER,"

Registration No. 5500956 was recorded December 31, 2020 to the following:

Wang, Yuanjing
213-216, Bldg D, Qingnian Chuangye Park
No. 18 Jianshe East Road, Longhua
Shenzhen, 518109 China

11. Accordingly, Plaintiff sent a Waiver Package to this address on March 22, 2022. On March 17, 2021, Plaintiff sent a request to waive service to Defendant, pursuant to Fed. R. Civ. P. 4(d), at the foregoing address via Federal Express.

12. The package was not delivered, and FedEx tracking indicates that delivery is still pending.

13. The "Contact Us" portion of the Defendant's website also lists the following address, slightly different from the Guoji Center Address:

4F Building B Bantian International Center,
No. 5 South Road,
Shenzhen CN

14. A Waiver Package was sent to this address on March 23, 2022.

15. That package was also not delivered, and according to FedEx tracking, delivery is still pending.

16. In light of these developments, Plaintiff made the following efforts in order to locate Defendant's current and correct address; NOCO has searched:

- a. The TransUnion commercial database;
- b. LexisAdvance commercial database;

- c. The USPTO database TESS;
- d. Social media sites including Facebook, Twitter, Instagram, and LinkedIn;
- e. OpenCorporates; and
- f. Google.

17. To date, NOCO has been unable to locate Defendant's correct address.

18. On March 21, 2022, NOCO emailed a scanned, digital copy of a complete package containing the waiver of service request to email addresses listed on the trademark application that Defendant filed with the USPTO for "YABER" Registration No. 652900, which are: TMProce@scienbizip.com; and ecptm@scienbizip.com.

19. On March 21, 2022, NOCO emailed a scanned, digital copy of a complete package containing the waiver of service request to email addresses listed on the trademark documents Defendant filed with the USPTO for "YABER" Registration No. 5500956, which is: 2244243173@qq.com.

20. On March 21, 2022, Plaintiff also sent emails to each email address Defendant holds out on its websites: yabertech.com and yaberauto.com, which are: sales@yabertech.com; support01@yaberauto.com; support.01@yaberauto.com; service@yabertech.com; and support@yaberauto.com.

21. With the exception of an email to support.01@yaberauto.com, each and every one of the foregoing emails did not bounce back nor indicate in any way that any of the messages were rejected or not delivered.

22. NOCO seeks to serve Defendant via email at each of the foregoing email addresses, except support.01@yaberauto.com, as it believes that email is the best available means to notify Defendant of this lawsuit.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 22, 2022.

/s/ Anna E. Bullock
Anna E. Bullock